

REMARKS

The applicants note with appreciation the acknowledgement of the claim for priority under section 119 and the notice that all of the certified copies of the priority documents have been received.

The applicants acknowledge and appreciate receiving an initialed copy of the form PTO-1449 that was filed on 17 March 2004.

Claims 1, 2, and 4-10 are pending. Claim 3 has been canceled. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claims 1-10 were rejected under 35 USC 112, second paragraph, as being indefinite. The applicants respectfully request that this rejection be withdrawn for the following reasons.

Claims 1-10 were said to be indefinite due to a lack of antecedent basis for "the opening." However, an opening was introduced in line 2 of original claim 1. Therefore, there is antecedent basis for this term, and the applicants request that this rejection be withdrawn.

Claim 4 was objected to under 37 CFR 1.75(c) for failing to further limit the claims. Claim 4 has been amended to recite that the ring-shaped operating element includes a cylindrical dial. This subject matter was disclosed at page 14, line 25 through page 15, line 4, of the specification and involves no new matter. Claim 4 now further limits the claims and this rejection should be withdrawn.

Claims 1-3, 5, and 7-10 were rejected under 35 USC 102(e) as being anticipated by Demarath or Gehring *et al.* Claim 3 has been canceled and will not be discussed. As for claims 1, 2, 5 and 7-10, the applicants respectfully request that this rejection be withdrawn for the following reasons.

The patent to Demarath was filed on 26 June, 2003, which is later than the priority date of this application. An accurate translation of the priority document (Japanese patent application 2003-092359) has been attached to perfect the claim for priority. Therefore, the patent to Demarath is not prior art and this rejection should be withdrawn to the extent that it is based on the patent to Demarath.

As for the patent to Gehring *et al.*, claim 1 and claim 8 now recite that a recess is formed on the spherical element. Also, both claims 1 and 8 recite that a ring-shaped operating element on the outer peripheral side of and adjacent to the spherical operating element. The patent to Gehring *et al.* fails to disclose these features. Therefore, Gehring *et al.* fails to anticipate the claims, and the rejection based on Gehring *et al.* should be withdrawn.

As described in Page 7 of the specification, the spherical operation element is advantageous in that the operating clearance does not change regardless of the direction in which the spherical operating element is pivoted. This feature enables the ring-shaped operating element to be close to the spherical operating element. By providing the ring-shaped operating element around the spherical operating element, two separate operating elements can be individually operated with in a small space, and superior operability is achieved.

On the other hand, Gehring *et al.* discloses a knob 173 on the spherical element. This structure requires a significant operating space around the knob. Therefore, the space required in Gehring *et al.* is larger than that of the present invention. That is, the combination of the spherical and ring-shaped operating elements in the present invention take up approximately the same or less space than the single-knob operating element of Gehring *et al.*

Claims 2, 3, 5, and 7 depend on claim 1 and are considered to be patentably distinguished from the patent to Gehring *et al.* for the reasons given above with respect to claim 1. Claims 9 and 10 depend on claim 8 and are considered to be patentably distinguished from the patent to Gehring *et al.* for the reasons given above with respect to claim 8.

Claims 6 and 11 were rejected under 35 USC 102(e) as being anticipated by Gehring *et al.* The applicants respectfully request that this rejection be withdrawn for the following reasons.

Claim 6 depends on claim 1 and is considered to be patentable for the reasons given above with respect to claim 1.

Claim 11 depends on claim 8 and is considered to be patentable for the reasons given above with respect to claim 8.

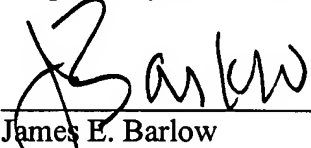
Claim 4 was rejected under 35 USC 103(a) as being unpatentable over Demarath or Gehring *et al.* in view of the Japanese patent ('259). The applicants respectfully request that this rejection be withdrawn for the following reasons.

Claim 4 depends on claim 1 and is therefore considered to be patentable for the reasons given above with respect to claim 1.

In view of the foregoing, the applicants respectfully submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



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